

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION**

STEPHEN P. KELLY,

Plaintiff,

vs.

THE CHURCH OF JESUS CHRIST  
OF LATTER-DAY SAINTS, a Utah  
Corporation; KYLE SPENCER, in his  
official capacity; and ALAN  
HANSEN, in his official capacity,

Defendants.

**CV 20-56-BU-BMM**

**ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS**

Plaintiff Stephen P. Kelly (Kelly) has filed this action pro se. Doc. 2. Kelly alleges that the Defendants have refused to terminate his membership in The Church of Jesus Christ of Latter-Day Saints, and have deprived him of his official church records. *Id.* at 15-16. Kelly seeks declaratory relief, injunctive relief and damages. *Id.* at 2. Kelly has invoked this Court's diversity jurisdiction under 28 U.S.C. § 1332. *Id.* at 5.

United States Magistrate Judge John T. Johnston issued a Findings and Recommendations on January 22, 2021. Doc. 10. Judge Johnston determined that Kelly had failed to plead diversity jurisdiction properly. *Id.* at 2. Kelly did not file objections to Judge Johnston's Findings and Recommendations. Instead, Kelly filed

an Amended Complaint resolving the deficiencies of the original complaint.  
Doc. 12.

**IT IS HEREBY ORDERED:**

1. Judge Johnston's Findings and Recommendations (Doc. 10) are **ADOPTED**  
in full.

Dated the 1st day of March, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

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Brian Morris, Chief District Judge  
United States District Court